

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MARC T. BROWN,

Plaintiff,

v.

Civil Action No. **3:07CV779**

**FOURTEENTH JUDICIAL CIRCUIT -
HENRICO CIRCUIT COURT, *et al.*,**

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on January 2, 2008, the Court conditionally docketed Plaintiff's action. By that Memorandum Order, the Court directed Plaintiff, *inter alia*, to complete and return an affidavit in support of his request to proceed *in forma pauperis* to the Court. On January 11, 2008, the January 2, 2008 Memorandum Order was returned to the Court by the United States Postal Service marked, "Not at this address" and "RETURN TO SENDER." Thereafter, the Court remailed the January 2, 2008 Memorandum Order to Plaintiff at a different address the Court had for Plaintiff. The Court has not received any response from Plaintiff. Plaintiff's lack of response to the Court's January 2, 2008 Memorandum Order indicates his lack of interest in prosecuting the present action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: 4-14-08
Richmond, Virginia

<p><u>/s/</u> James R. Spencer Chief United States District Judge</p>
